

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

BECKMANN et al

Serial No. 08/836,734

Filed: July 2, 1997

Title: LGMD GENE CODING FOR A CALCIUM DEPENDENT PROTEASE

Honorable Commissioner of Patents  
and Trademarks  
Washington, DC 20231



Atty Dkt. 960-29  
C#/M#

Group Art Unit: 1634

Examiner: Zitomer, S.

Date: April 27, 1998

BOX SEQ. GP-1634#

#9  
Ext of time (1)

MAY - J 1998

Sir:

**AMENDMENT AND RESPONSE TO NOTICE TO COMPLY**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

**Fees are attached as calculated below:**

Total effective claims after amendment	0	minus highest number	
previously paid for	(at least 20) =	0 x \$ 22.00	\$ 0.00
Independent claims after amendment	0	minus highest number	
previously paid for	(at least 3) =	0 x \$ 82.00	\$ 0.00
If proper multiple dependent claims now added for first time, add \$270 (ignore improper)			\$ 0.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110 /1 month; \$400 /2 months; \$950 /3 months)			\$ 110.00
Terminal disclaimer enclosed, add \$110			\$ 0.00
<input type="checkbox"/> Please enter the previously unentered	filed		
First submission after Final Rejection pursuant to 37 CFR 1.129(a) ( \$790 )			\$ 0.00
Second submission after Final Rejection pursuant to 37 CFR 1.129(a) ( \$790 )			\$ 0.00
		<b>SUBTOTAL</b>	\$ 110.00
If "small entity," then enter half (1/2) of subtotal and subtract			-\$ 55.00
<input type="checkbox"/> Statement filed herewith			
Rule 56 Information Disclosure Statement Filing Fee ( \$240 )			\$ 0.00
Assignment Recording Fee ( \$40.00 )			\$ 0.00
		<b>TOTAL FEE ENCLOSED</b>	\$ 55.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

04/30/1998 SLUAMS 00000035 08836734

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**NIXON & VANDERHYE P.C.**

By Atty: Mary J. Wilson, Reg. No. 32,955

Signature:

Mary J. Wilson

85-36,734

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR § 1.821(a)(1) and (a)(2). However, this application fails to comply with one or more of the requirements of 37 CFR §§ 1.821 through 1.825 as follows:



- ☒ 1. This application clearly fails to comply with the collective requirements of §§ 1.821 through 1.825. Applicant's attention is directed to these regulations, a copy of which is attached.
- ☐ 2. This application does not conform exclusively to the requirements of §§ 1.821 through 1.825. The non-conforming material should be deleted. § 1.821(b).
- ☐ 3. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing." § 1.821(c).
- ☐ 4. This application does contain, as a separate part of the disclosure on paper copy, a "Sequence Listing." However, the "Sequence Listing" does not comply with the requirements of §§ 1.821 through 1.825 as follows:
  - ☐ a. The sequence data does not comply with the symbol and format requirements of paragraphs (b) through (p) of § 1.822. Specifically: \_\_\_\_\_
  - ☐ b. The "Sequence Listing" does not comply with the location and page requirements of paragraph (a) of § 1.823.
  - ☐ c. The "Sequence Listing" does not comply with the information requirements of paragraph (b) of § 1.823. Specifically: \_\_\_\_\_
  - ☐ d. Other: \_\_\_\_\_
- ☐ 5. The description and/or claims of the patent application mention a sequence that is set forth in the "Sequence Listing" but reference is not properly made to the sequence by use of a sequence identifier as required by § 1.821(d).
- ☐ 6. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by § 1.821(e).
- ☐ 7. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the computer readable form does not comply with the requirements of § 1.824. Specifically: \_\_\_\_\_
- ☐ 8. A statement that the content of the paper and computer readable copies are the same has not been submitted as required by § 1.821(f).
- ☐ 9. The amendment to or replacement of the paper and/or computer readable copies of the "Sequence Listing" does not comply with the requirements of § 1.825(a) through (c).
- ☐ 10. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable. Applicant must provide a substitute copy of the data in computer readable form accompanied by a statement that the substitute data is identical to that originally filed. § 1.825(d). Specifically: \_\_\_\_\_
- ☐ 11. Other: \_\_\_\_\_

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE ABOVE REQUIREMENTS. Failure to comply with the above requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR § 1.136. Direct the response to, and any questions about, this notice to the undersigned. A copy of this notice MUST be returned with your response.

☐ For: Manager, Application Processing Division  
(703) 308-1202 or 308- \_\_\_\_\_

☐ S. ZITNER  
Examining Group 1634  
(703) 308- 3985